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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,989	08/04/2003	James C. Dow	10980475-6	5611

7590 02/09/2007
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HENN, TIMOTHY J

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/633,989

Applicant(s)

DOW ET AL.

Examiner

Timothy J. Henn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: The patent numbers for the applications listed in the first paragraph of the cross reference section are missing. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5, 6, 8-13, 16, 17 and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bullock et al. (US 5,943,050).

[claim 1]

Regarding claim 1, Bullock discloses a portable hand-held image capturing appliance (Figure 1), comprising: a photoelement array for acquiring a plurality of image data (Figure 2, Item 138); a processor configured to receive the image data captured by the photoelement array (Figure 2, Item 122), and configured to save the image data in an image group (e.g. Figure 11, Item 206; c. 5, l. 11 - c. c. 7, l. 58); a program code executed by the processor for attaching at least one new image data to the image group

such that the image group comprises the plurality of image data and the new image data (c. 3, l. 61 - c. 4, l. 18; c. 7, ll. 32-64); and a display for displaying a page corresponding to one of the image data and the new image data in the image group (c. 7, l. 65 - c. 8, l. 13).

[claim 2]

Regarding claim 2, Anderson discloses a memory configured to store the image data and the new image data in the image group (Figure 2, Item 124).

[claim 3]

Regarding claim 3, Bullock discloses a memory which is further configured to store the program code (Figure 3, Item 123; Figure 3).

[claim 5]

Regarding claim 5, Bullock discloses a photoelement array which acquires the new image data (Figure 2, Item 138).

[claim 6]

Regarding claim 6, Anderson discloses program code executed by the processor for selecting one of the image data in the image group and for detaching the selected image data such that the image group no longer comprises the selected image data (Figures 8 and 9).

[claim 8]

Regarding claim 8, Bullock discloses a method of displaying image data comprising: capturing a plurality of image data (Figure 19; c. 5, l. 11 - c. 7, l. 58), grouping the image data into a group (c. 5, l. 11 - c. c. 7, l. 58); receiving new image

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data (c. 7, ll. 59-64); and attaching the new image data to the group such that the group comprises the plurality of image data and the new image data (c. 7, ll. 59-64).

[claim 9]

Regarding claim 9, Bullock discloses receiving new image data from a photoelement array (Figure 2, Item 138; c. 5, l. 11 - c. c. 7, l. 58).

[claim 10]

Regarding claim 10, Bullock discloses acquiring the new image data with the photoelement array (Figure 2, Item 138; c. 5, l. 11 - c. c. 7, l. 58).

[claim 11]

Regarding claim 11, Bullock discloses receiving the new image data from a memory (Figure 19B, Step 326).

[claim 12]

Regarding claim 12, Bullock discloses acquiring the new image data with a photoelement array and storing the new image data in the memory (Figure 19B, Steps 322-326).

[claim 13]

Regarding claim 13, Bullock discloses selecting one of the image data in the group; and detaching the selected image data such that the group no longer comprises the selected image data (Figures 8 and 9).

[claim 16]

Regarding claim 16, Bullock discloses a computer-readable medium have a program for displaying image data (Figure 3; c. 3, l. 61 - c. 4, l. 18) comprising logic

configured to perform the steps of: capturing a plurality of image data, grouping the image data into a group, receiving new image data, attaching the new image data to the group, selecting one of the image data in the group and detaching the selected image data (Figures 4-9; c. 5, l. 11 - c. 8, l. 39).

[claim 17]

Regarding claim 17, Bullock discloses a portable hand-held image capturing appliance (Figure 1), comprising: a photoelement array for acquiring a plurality of image data (Figure 2, Item 138); a processor configured to receive the image data from the photoelement array, and configured to save the image data in an image group (Figure 2, Item 122); and a program code executed by the processor (Figure 3; c. 3, l. 61 - c. 4, l. 18) for: selecting one of the image data in the image group; and detaching the selected image data such that the image group no longer comprises the selected image data, a display for displaying a page, the page corresponding to one of the image data and the new image data in the image group (Figures 4-9; c. 5, l. 11 - c. 8, l. 39).

[claim 19]

Regarding claim 19, Bullock discloses program code executed by the processor for attaching at least one new image data to the image group such that the image group comprises the plurality of image data and the new image data (c. 7, ll. 59-64).

[claim 20]

Regarding claim 20, Bullock discloses a method for displaying image data, the method comprising the steps of: capturing a plurality of image data; grouping the image data into a group; selecting one of the image data in the group; and detaching the

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selected image data such that the group no longer comprises the selected image data. (Figures 4-9; c. 5, l. 11 - c. 8, l. 39).

[claim 21]

Regarding claim 21, Bullock discloses receiving new image data; and attaching the new image data to the group such that the group comprises the plurality of image data and the new image data (c. 7, ll. 59-64).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 7, 14, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullock et al. (US 5,943,050).

[claim 4]

Regarding claim 4, Bullock discloses the use of a mouse to cause the program code to attach the new image data to the image group. Official Notice is taken that the use of "navigation buttons" can be used in place of computer mice to perform the same tasks without requiring a separate piece of hardware to be plugged into the system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a built-in "navigation button" to replace the mouse of Bullock

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to reduce the weight and number of components in the system.

[claim 7]

Regarding claim 7, Bullock lacks an appliance which is a scanner. Official Notice is taken that scanners are notoriously well known image capture systems which can be used in place of digital cameras to capture accurate images of documents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a scanner in the system of Bullock to accurately capture images of documents.

[claim 14]

Regarding claim 14, Bullock discloses a system for displaying image data comprising: means for capturing a plurality of image data (Figure 2, Item 138), means for grouping the image data into a group of image data, receiving new image data and attaching the new image data to the group (Figures 4-9; c. 5, l. 11 - c. 8, l. 39). Bullock further discloses flipping through a series of grouped images (Figure 21; c. 10, l. 58 - c. 11, l. 13), but does not disclose flipping in response to a navigation button.

Official Notice is taken that the use of "navigation buttons" can be used in place of computer mice to perform the same tasks without requiring a separate piece of hardware to be plugged into the system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a built-in "navigation button" to replace the mouse of Bullock to reduce the weight and number of components in the system. However, Bullock further lacks a "flipping animation".

Official Notice is taken that the use of flipping animations when flipping through a series of images is well known in the art to make the flipping process more aesthetically pleasing to the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display a "flipping animation" in the system of Bullock to make the flipping process more aesthetically pleasing to the user.

[claim 15]

Regarding claim 15, Bullock discloses means for selecting one of the image data in the group; and means for detaching the selected image data such that the group no longer comprises the selected image data (Figures 8 and 9).

[claim 18]

Regarding claim 18, see claim 4.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- | | | |
|-----|------------------|--------------|
| i. | Matsumoto et al. | US 5,796,428 |
| ii. | Itoh | US 5,966,122 |

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJH
1/26/2006


TUAN HO
PRIMARY EXAMINER